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POPULAR TALES.

From the Olive Branch.

THE SPIDER CAUGHT IN HIS OWN WEB.

One morning at an inn, in a southern State, where I had lodged the preceding night, as I lay ruminating on the bright eyes and warm hearts I had left far behind me, and already anticipating the delightful raptures which I trusted were in store for me at a future day in returning to my family and friends, I looked upon one of these busy little insects above-mentioned, who in one corner of the ceiling was ever & anon pouncing upon an unfortunate fly, as it unconsciously entered the snare of this many legged Fowler. He appeared to be reaping a glorious harvest, the rascal; all were fish that came to net with him—not a tiny animal set foot or wing within his precincts but he whirled the little being round in his fangs, casting over it the fibres of his web, and there left his strangled victim for the indulgence of his appetite I presume at leisure.

But presently game of rather an odd character seemed to present itself in the shape of another spider of a larger and altogether different species from the one alluded to. In stalked the giant looking dignitary, without the ceremony of a knock, at the portals of the plump little fellow whose domains he was invading, and who appeared petrified with astonishment at the impudence of the intruder; but there he came, with a slow and but sure pace, right up to the corner of the wall; and as much as to say, 'your turn comes next,' he very unceremoniously seized upon the little animal, and to spite of his struggles, actually twisted and twisted him up in an almost impenetrable veil, till at length all motion ceased, and he left him hanging among his victims, in his own web! Yes, readers he was caught in his own web! Can we not make nothing of this trivial circumstance?—will it furnish no moral, or recall no incidents of human life resembling it to the very letter? Ah! you may depend upon it that it has not been the only spider who was caught in the net he spread for others; and we will give you, if you please, one instance out of many, (alas! for poor human nature!) which have occurred in this unhappy world of depravity!

JOSEPH WORMSLEY was one of the most covetous creatures that ever existed, scarcely an hour of his long life passed that he did not violate the tenth commandment, in some way or other for even in his sleep he dreamt of the possessions of others, and would frequently fancy he had managed matters so as to get them to himself, and he might be heard by a fellow-lodger in the next room to chuckle at the thought of his dexterity in ousting the envious possessor from his own.

By dint of industry and frugality, (or more properly speaking, parsimony,) he became the proprietor of a comfortable and moderately profitable farm in the western country, adjoining that of his friend and benefactor, Mr. William Clermont, under whose hospitable roof he remained for some time after his arrival in this country, and from whom he obtained every assistance necessary towards establishing himself in the business of a trading land-holder.

The farm of Mr. Clermont was more extensive, though perhaps not much more productive than his own but many a sigh did it cost him, as he looked with a longing eye upon the little fields of the Clermont estate, to think they were not his own; neither was there the most distant probability that such would ever be the case. Mr. Clermont was of a very amiable family, and inherited all good qualities of his ancestors; he generally however, observed the fair side of human nature, and studiously avoided the reverse; believing in the excellency of his heart, that it was not necessary to notice the bad, but rather to search out and admire the good traits of character in others.

Now this, to a certain extent, may answer the pursuits of life, and make one feel, doubtless, contented and happy; but, bless me! it will very often produce disquietude, vexations and losses, when we least expect either. I have, however, been frequently at a loss to discover what good traits of character Mr. Clermont found in Jasper Wormsley; it is true, he could make himself very agreeable sometimes, and would entertain his friend for hours on the subject of the old country, as he termed it; but without that his character, as regarded goodness, was a blank—he never thought of doing a good action in his life, and as to disinterestedness, he never took it into his head to inquire its meaning.

Nevertheless, Clermont and Wormsley were inseparable; and I do verily believe, that if the latter had seriously at one time solicited the former for half his extensive property, it would have been given; but this, Wormsley concluded would rather be venturing too much upon the liberality of his patron, who had already so largely contributed to his early wants and comfort.

It was in the month of October, '06, when the

little Clermonts were sent to the house of Jasper Wormsley, till, as they were told their father should get better. He had been confined, for some time, with a fever which, from its obstinacy, required constant watchfulness and undisturbed quiet, which the innocent prattle of little Sue, and the forgetful playfulness of William and Jane, would not, but with great difficulty, permit. Poor things! they were soon to be left in the wide world fatherless, as they had for some time before motherless, and to be given over, at their young and tender age, to the control of other hands and hearts than those of kind and affectionate parents.

A message came with the children from Mr. Clermont, requesting Mr. Wormsley to visit him that evening, as he was easier and desired an interview with him on business. The sick man lay in his bed, with scarcely strength to extend his hand, when Wormsley, in compliance with his request, entered his chamber.

"Be seated, friend Wormsley," he said. "I have sent for you to complete my will"—he continued—"and to inform you of its contents—not doubting for a moment that your friendship for me will dispose you cheerfully to comply with one wish I have expressed in it."

"Certainly! my friend, certainly!" answered Wormsley, "have you it all prepared!—ready for signature?"

"You will find it in that drawer, Mr. Wormsley; but first I would converse with you in relation to the trust I am about to repose in you—a trust which alone has sprung out of a conviction of the sincerity of your friendship—may, do not interrupt me, I feel, dear sir, conscious that my end is approaching, and therefore—in short, my friend, I commit to your care and protection, the little infants my dear departed Julia left me—and with them, I leave wholly to your management and control, my earthly possession;—when William is of age I wish him and his sisters to receive into their hands all that I thus entrust to you—But you will find it all in the paper in your hands."

The voice of Clermont trembled at every word—and he lay pale and exhausted while Wormsley opened and read over the contents of his benefactor's will: they have been already briefly, and doubtless, sufficiently explained. Relying on the close friendship that had so long existed, as he supposed, between himself and his intended executor, Clermont had placed entirely in his hands all his vast estate, to be held by him in trust for the benefit of his children, who, so soon as the eldest living should arrive at the years of maturity, were to receive it and hold it as their own;—in the mean time Wormsley was to be their sole guardian, and authorized to defray all expenses incident to their education out of the ample profits of the estate. "My dear friend," resumed Mr. Clermont, "I am assured my confidence is well placed—call in young Hartley and old John Harrowman—he will do for the other witness—I believed the law requires two."

"It does, my friend said Wormsley and immediately the two persons referred to were requested to enter the room.

The document was placed in the hands of the dying Clermont, he acknowledged it as his last will and testament—signed it with his feverish, trembling hands, and sunk on his pillow the very picture of rapid decay, as thought he was hurrying to the place of the departed.

The instrument, fully completed by the signatures of the witnesses, was accordingly placed in charge of the newly appointed executor, who returned home with a feeling of self satisfaction, and of self consequence, more easily imagined than described.

A few days passed after this transaction, and Clermont was numbered with the dead;—the eldest of the little orphans had a consciousness, that his earthly parents had left him forever, and wept bitterly—and I need not recount the broken heartedness of her brother, and her infant tears were mingled with his—while little Sue sat wondering at them both that they cried so, when "dear papa had gone to sleep"—as she lisped it—"don't cry, bo-woer when dear papa sleeps."

Ere a twelvemonth expired Wormsley had abandoned his own domicile altogether and quartered himself and family in Clermont House—but if his existence had depended upon giving more than one reason for this movement, he could not have done it. His own residence was comfortable, commodious, and contiguous to the estate left to his charge—while Clermont House was some distance from the confines of his own;—no, gentle readers, he had but one, and only reason, or rather impulse, and that was that as Clermont House belonged to somebody else, he as usual, longed for it and he could not make it his own property, he would go as far towards that desideratum as circumstances would admit—he would occupy it—use it—just as if it was his own.

Now it was natural that such a disposition should, occasionally, set itself to work as to how its cravings might be satisfied—and then, regardless of the admonitions of conscience, (if indeed such people have any,) stratagems are planned, and designs made, at which noble-mindedness points the finger of scorn, and justice her threatening sword of retributions.

Years rolled by, and with them rolled the increasing avarice of Jasper Wormsley—till at length it gathered itself into such an irresistible ball of covetousness that no consideration of propriety, even of humanity, could impede its course.—The Clermont estate!—what! was it possible that at some future day he must relinquish it—leave it forever and aye, in the hands of others? He could not support the idea.

"Pray, sir," said William Clermont, now in his twelfth year, as he was walking with his guardian one fine summer's day, "Pray, sir, do let me

see father's will when we reach home—I have such a desire to read it, sir." Why will you so often ask me that William? Better mind your lessons, my lad, the will is safe enough, I assure you.

"Yes—but dear sir, I should so like to see it—just to have it in my hands (such is childhood) for a little while—I never read a will, I wonder what father has said in it about me, and about sisters."

Wormsley paused—he had never once thought before of the circumstance that the little orphans were wholly unacquainted with the contents of their father's will—nor indeed was any one else but himself for he had kept it under lock and key ever since its execution, without ever having made a reference to it a second time.

"Well, you shall see it, some of these days, William."

Young Clermont was determined to keep him at his word—so he waited a full fortnight with a great deal of patience, and was on the point of renewing his request when his guardian came to him, as he was sitting with his sisters one morning, and handing him a paper, the appearance of which was that of no recent date, observed, "William, you asked me some time ago, to show you your father's will—he was a fine man, William—here it is: don't tear it—bless me! it is so old! let me see—the fifteenth day of October, seventeen hundred ninety-six."

"Very old," said William, as he eagerly looked at the but faintly remembered writing of his father, as he carefully held it before him to peruse it.

He coned it over again and again, and at length observed, "Yes, sir—how kind father was to give you all his fine farm; that is, when we grow up; I believe it is so, is it not, sir?"

"Aye, aye, William, that is for the trouble and expense I am at in educating you, and supporting you all, you know—Ah, my lad, you little know how dreadfully expensive it is to bring up little children. I am glad I have none of my own, William, that I am."

The unconscionable boy perused once more the instrument handed to him as the will of his father and thoughtless of the consequences to himself and sisters of being penniless as soon as they arrived at full age, for such was the import of the writing before him, he handed it complacently to his guardian, thanked him with child-like sincerity, for the perusal of it, and returned to his boyish amusements.

The will of his father!—no! my reader, the document was the production of a villain's pen dipped in the blackest gall of human depravity; a forgery, so artfully and cunningly designed to defraud the friendless orphans of their own, as to render it next to impossible that human scrutiny should unmask the deception.

With the worm of envy revelling in his heart and avarice, unsatiable avarice, spurring him on to the unholy deed, he fabricated another will in place of the genuine one, which bequeathed to himself, when the children should become of age, all the Clermont estate, in consideration, as the forgery stated, of various unpaid obligations of magnitude—in addition to all which, Wormsley was to rear, maintain, and educate the orphans committed to his charge.

The same witnesses were affixed to it, and the signature, to every appearance was that of the testator. In fine, the treacherous executor had so manufactured the deceptive document that it bore the most unequivocal appearance of being the reality, when it was in fact but a foul imposture.

From this time forward, Wormsley would frequently talk to the Clermonts of the good, kind father, and of the will, and how he used to lend their father sums of money, which his death, no doubt prevented his returning, and—but the heart loathes the recital of his many contrivances to 'make assurance doubly sure,' and of success that attended all his iniquitous schemes.

And the little ones grew up to the estate of manhood and of womanhood, and Jane, first admired, then ardently beloved, became the wife of an honorable and moderately wealthy citizen of the country, he took her for her own sake, for although it seemed strange, passing strange, that with all her father's wealth, she and her brother and sister should be left portionless, such was the commonly received report, and he gave the deprivation not a thought.

But it was otherwise with young Clermont.—He could not understand why the whole of his father's vast estate should pass into the hands of another; great indeed must have been the pecuniary obligations under which his father labored, to have compelled him to grant so extensive a bequest to the utter exclusion of his own offspring; and then he had a recollection, though but an indistinct one, that the department and bearing of Mr. Wormsley toward his departed parent was that of one who had received favors, certainly not of one who had granted them. How could it be! He pondered, and pondered, and could not remember the least trace of an expression, or an action, on the part of his father, that could lead him for a moment to suppose that the disposition made of the estate was ever to take place.

Reflection on the subject made him more and more desirous of unravelling the mystery, and at length he resolved to call on his late guardian, and ask him for such an explanation of the relations which existed between him and his father, as would satisfy him of the justice and propriety of his father's will.

He accordingly repaired from his residence in the adjoining county, where he had located himself, still, pursuing the studies of a respectable profession, to the house of his birth and the scenes of his infancy, now occupied by, to him at least, the forbidding, the mysterious Jasper Wormsley.

He was received with marked reserve and cold-

ness, and it was, therefore, not long before Clermont entered upon the object of his visit, and respectfully, but earnestly, solicited the required information.

"Why, really Mr. Clermont," said Wormsley, "if you wish it, certainly, by all means, Mr. Clermont; I shall conceal nothing, Mr. Clermont, nothing at all, sir."

"Then, sir, if you will be so obliging—"

"Well,—since you are so anxious to know all 'about it, and about,' as the song says, eh! Mr. Clermont, you know the old song?—very warm day this!"

"Very, sir."

"And pray where does your sister Jane and her good man live?"

"A few miles west of this, sir."

"You have a fine thing there, Mr. Clermont, pray where did you meet him—bless me, 'tis a fine nag—where did you meet with him?"

"I purchased him from a friend, sir, but, sir, as my time is not altogether my own, will you favor me with—"

"Oh! aye, aye, well, as I was saying; ah! your father died,—he was a very good man, he died, let me see, ah! the will will show, yes, the will will show, I shall get it Mr. Clermont, wait a moment."

Wormsley retired for a few minutes, and again entered with the will; "Here it is, sir, here it is—bless me! it is an old paper is it not?—let me see: ah! the fifth day of October, one thousand seven hundred and ninety six—that was the time Mr. Clermont, except that he signed the will first you know—there is his signature, Mr. Clermont, there it is—he was a fine man, Mr. Clermont."

"He must have been, sir; but what I wish you to have the goodness to inform me is as to how, and on what account my dear father became so largely indebted to you?"

"Aye, aye,—but you see here are the witnesses—poor old Harrowman, he is dead too—and where is your father's man Hartley, Mr. Clermont?"

"I know not sir, will you be so obliging as to proceed?"

"Why, really, Mr. Clermont, 'tis a long story; your father owed me many thousands, when he died; money which I lent him—many thousands Mr. Clermont."

"And have you no evidence in your possession, you can show me, merely for my satisfaction, that such was the fact?"

"Evidence! bless bless me! evidence! oh! certainly, certainly, Mr. Clermont, a plenty, a plenty."

"You have no objections to laying it before me?"

"Certainly not, certainly not, sir."

"Can I see it now, sir?"

"Ah! no—not now—the next time you come, Mr. Clermont, the next time you shall have it all. Or for that matter, I will send it to you—say to-morrow or the day after."

"Thank you, sir, I should like much to look into it, simply for my satisfaction, I do assure you, sir."

"Certainly, certainly, sir,—to-morrow or next day."

It was in vain to attempt at that time to get any thing further out of Wormsley, and young Clermont, therefore, took his leave, and went home rather disappointed, but waited patiently for 'to-morrow or next day,' but several to-morrows and next days came and brought not the expected message from Wormsley.

A month elapsed, and still the promised satisfactory information was withheld. Clermont became uneasy—unbosomed himself to a friend, an eminent counsellor at law; that friend heard his story with astonishment, and finally recommended to him, as a duty which he owed to himself and his sisters to reiterate his request to Mr. Wormsley, and even formerly demand the required explanation, and the evidence upon which it was founded, as a matter of unquestionable right.

But if Wormsley used precautions and evasiveness, when asked civilly to state the desired information, the authoritative demand made for it excited his ire and wrathful displeasure; and chuckling at the idea that he had entrenched himself behind an impenetrable barrier that no mortal could remove, he gave a reply to Clermont couched in terms which, if not absolutely insulting to his feelings, were evidently dictated by a temper far from conciliatory or accommodating.

Mr. Attorney Freeland, on being made acquainted with this reply, strongly impressed upon young Clermont the apparent mystery that hung over this singular transaction. "And, my young friend," he continued, "I advise you from the bottom of heart not to suffer the matter to rest here, but as you are thus denied the reasonable request you have made in a spirit of amity, I say it is your duty, you owe it to the memory of your parent, to compel this man without further delay, publicly and before a legal tribunal, to satisfy you he has a clear and honorable title to the estate he holds."

"But, sir, the will—I have seen the will."

"Let him, however, produce it in open court; there is, there must be in my opinion, something in this transaction not exactly correct; you are welcome to my services should you think proper to resort to the course I recommend, and that you ought to do so, is my firm and honest conviction."

These words sunk into the heart of Clermont, and revolving in his mind the strangeness of the whole affair, and the unaccommodating disposition of the possessor of his father's estate, he at length came to the determination of pursuing his friend's advice, and immediately took the necessary steps necessary to a suit at law for the recovery of the full surrender of the property in ques-

tion. Wormsley laughed in his sleeve at the temerity of the young man:—"Have I not," he asked himself with confident self-complacency, "have I not the power easily to sustain my claims?—Who shall dare to question facts, the truth or falsity of which it is impossible can be known to any earthly being but myself. Have I not shown the will, first to the children, then to Hartley, who, poor fool, recognized it instantly as the identical one he witnessed, and then to others?—And who has ever doubted its authenticity? No! it shall be shown in court, and if the young gentleman will have law, why let him have it to his cost."

And the day of trial came, and there was Wormsley and his talented counsel, with looks that spoke the confidence of their cause, and there was young Clermont and his friend Freeland, both of them with open and honest hearts, ready to join issue and proceed with the doubtful contest.

The case was briefly opened by the latter, and the examination into the subject commenced,—but one witness was present, and that was Joseph Hartly, one of those before whom old Mr. Clermont acknowledged and signed his will, the other witness had been dead some years. Hartly swore that the will produced was that made by Clermont; he remembered the form of the paper on which it was drawn, and he had no manner of doubt he said, that that was the identical will.

"Were you made acquainted with the contents Mr. Hartly, at the time?" enquired the counsel of Wormsley.

"I know that old Mr. Clermont did give all his farms to Mr. Wormsley, for I heard him say so and heard him read so, just as I and Mr. Harrowman were leaving the room."

"Is this your signature?" asked Freeland.—"Yes!—I have no doubt that be my own handwriting, for I put it there, just where it is, over Mr. Harrowman."

"May it please the court," said Mr. Freeland, "I would ask the defendant a few questions in this business, leaving it, or course, at his option whether to reply to them or not;—the object of my client is to satisfy his own mind that what appears to him at present a mysterious transaction, is one of justice and plain dealing; assuming this as the fact, as I presume is doubtless done by my opponent, the defendant, I think, can have no objections: to answering the few questions I shall put to him."

"Certainly not, certainly not," responded Wormsley. "I am ready to answer any thing the gentleman may desire, any thing at all. But there is the will, he may examine it again if he pleases," he added, handing the instrument over to Freeland.

"Was this will ever recorded, sir, said the latter."

"No, sir," replied Wormsley, "there was no law then requiring that to be done in that part of the country; it was delivered to me for safe keeping, and has remained with me ever since; to avoid accidents, however, I shall have it placed on record immediately; but it was not then required, Sir, in our country, as I have no doubt the Court know as well as I do."

The court nodded acquiescence.

"Pray, sir," what was the amount of your claim upon Mr. Clermont at the time he died."

"Ah! there you are playing that young gentleman over again! he wishes so much to know the amount his poor kind father owed to me; of what use would it be for me to show in this open court the embarrassments of that kind, good man?"

"It is what we wish to be informed, sir, and beg you will state the amount."

"It was very considerable, sir, thousands, sir, thousands, money that I loaned him, and on reference to my memorandum here, (and he took out an old, worn out pocket-book) I find, 'aye I find it amounting altogether to the sum of twenty six thousand three hundred and thirty dollars forty four cents, exactly, sir, exactly.'"

"Was that as much as the estate was worth?"

"Very nearly, sir; but I was to maintain and educate his children, as you will find in the will before you, sir."

A pause ensued. Freeland examined the will the utmost scrutiny; not a letter escaped his penetrating eye; but every thing appeared fair, not an erasure not a blot, and sworn to by the only living witness. All seemed inevitably and indubitably to fix the title in Wormsley who grinned with a self-satisfaction as Freeland pored over the document to detect a flaw, or a suspicious feature, but in vain.

"Have you any further question to ask, Sir?" inquired the court, of Freeland, "as we must proceed with the docket."

"Your honor will pardon me a moment," replied the worthy counsellor, "for trespassing upon your patience in a cause of such magnitude; but, he continued, 'still scrutinizing the will, holding it before him in various situations; as though examining the texture of the very material upon which it was written. "But I should like to summon a witness who I conceive very important to my client's interests, and who can be obtained in half an hour, if the Court will indulge me for that space of time."

The court acceded to the request; and a summons was issued for John Van Alstee, of the Eagle Mills, adjacent to the town where the court was then in session.

He was found without difficulty, and appeared before the court, much to the wonderment and, perhaps perplexity of Wormsley, who was puzzling himself to discover what possible end was to be attained by the testimony of one he had never before heard of, and who he thought could know no more of Mr. Clermont's will than the man in the moon. However, there he was and was duly sworn.

